

DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS

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DATE: October 19, 2001 ACLA Letter No. 01-15

TO: All County Lead Agencies (ACLA)

SUBJECT: SUBSTANCE ABUSE TREATMENT AND TESTING
ACCOUNTABILITY PROGRAM: SENATE BILL 223 (BURTON)

The Department of Alcohol and Drug Programs (ADP) is pleased to announce that Senate Bill 223 (Burton), Chapter 721, Statutes of 2001, providing funds for drug testing of clients under the Substance Abuse and Crime Prevention Act (SACPA) of 2000, was signed into law by Governor Gray Davis on October 11, 2001, and takes effect immediately. The new law provides funding in the amount of \$8.4 million from the Substance Abuse Prevention and Treatment (SAPT) Block Grant Award for federal fiscal year 2001 for drug testing costs related to implementation of SACPA.

Two additional provisions of the bill permit SACPA clients to be treated in drug treatment programs under the direction of the Veterans Health Administration, and in a San Francisco rehabilitation program for substance abusers which provides a live-in alternative to incarceration as specified by Penal Code (PC) Section 8001. This latter provision applies only to Delancy Street in San Francisco. Also, there are new provisions at PC Sections 1210.1 and 3063.1 regarding client amenability to treatment and parole revocation.

Senate Bill 223 enacts the Substance Abuse Treatment and Testing Accountability (SATTA) Program. ADP is directed to administer and award SATTA funds to counties for the costs of substance abuse testing for eligible offenders under SACPA. The bill permits ADP to implement the new provisions by means of a letter to all county lead agencies.



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This letter conveys counties' preliminary allocations (Attachment A) of funds appropriated by SB 223. These funds are allocated based on the same formula that was used to allocate funds from the SACPA Substance Abuse Treatment Trust Fund (Section 9525, Chapter 2.5, Title 9, California Code of Regulations) for State Fiscal year 2001-2002. SB 223 funds that are not requested by counties are subject to reallocation.

Monies must be used for drug testing as outlined in SB 223 and for other purposes, consistent with federal law which requires funds to be used for planning, carrying out, and evaluating activities to prevent or treat substance abuse (Title 42, U.S.C. Section 300x-21(b)). Therefore, testing must be used as a therapeutic tool for defendants, probationers, and parolees, and constitute part of the individual's treatment plan.

To be eligible to receive funds, counties must have an approved county SACPA plan with specified components, including a description of the process to be used for substance abuse treatment and testing. Allowable costs incurred on or after October 11, 2001, the effective date of the new law, are eligible for funding.

ADP will issue additional details in a subsequent letter to all county lead agencies specifying:

1. Requirements for revision of county SACPA plans for the purposes of SB 223; and
2. Terms and conditions for the receipt of funds.

A synopsis of SB 223 is attached (Attachment B). If you have any immediate questions, please contact the Office of Criminal Justice Collaboration at (916) 445-7456 or SACPA@adp.state.ca.us.

Sincerely,

[Original Signed By]

DEL SAYLES-OWEN
Deputy Director
Office of Criminal Justice Collaboration

Attachments

[Attachment A: SATTA Program Preliminary Allocation](#)
[Attachment B: Synopsis of SB 223 \(Burton\)](#)